

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: HUXLEY COMMUNICATIONS COOPERATIVE	DOCKET NO. 199 IAC 39.2(4)
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ORDER DESIGNATING ELIGIBLE CARRIER

(Issued September 26, 2002)

On August 27, 2002, Huxley Communications Cooperative (Huxley) filed with the Utilities Board (Board) an application for universal service eligible carrier status in Iowa. Huxley asks that the Board designate it as an eligible telecommunications carrier (ETC) pursuant to 199 IAC 39.2(4). No objections have been filed regarding this application.

Board rule 39.2 provides a means by which the Board can designate Iowa telecommunications companies to be eligible to receive funding from the Universal Service Fund, as defined by the Telecommunications Act of 1996, 47 U.S.C. § 254. Under the Act (and Federal Communications Commission regulations implementing the Act), the Board must determine that a carrier meets the following service requirements before it may be designated as an eligible carrier, as set forth in subrule 39.2(4):

- 1) Offer the services supported by the federal universal service fund;

- 2) Offer the services using its own facilities or a combination of its own facilities and resale (47 C.F.R. § 54.201(c) provides that "own facilities" include purchased unbundled network elements);
- 3) Advertise the availability of the supported services; and,
- 4) Offer the services throughout the service of the designated carrier.

In its request for designation, Huxley states that it satisfies each of these requirements. Based on that representation, the Board finds that Huxley offers the services supported by the federal universal service fund, using its own facilities or a combination of its own facilities and resale of the facilities of another carrier. The Board finds that Huxley advertises and offers the services throughout its designated service area.

The Board also notes that pursuant to a recent federal mandate, Huxley is required to file a certification with the Board regarding its use of universal service funds. This filing will be made pursuant to the Board's recently adopted subrule 199 IAC 22.2(7).

IT IS THEREFORE ORDERED:

1. Eligible telecommunications carrier status is granted to Huxley Communications Cooperative as requested on August 27, 2002. The designated service area shall be Huxley Communications Cooperative's service territory established in its certificate of public convenience and necessity.

2. The Executive Secretary of the Board shall mail copies of this order to Huxley Communications Cooperative, the Universal Service Administration Company, the Federal Communications Commission Universal Service Branch, and the Federal Communications Commission Office of the Secretary.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 26th day of September, 2002.